

## **EQUAL EMPLOYMENT OPPORTUNITY (EEO) ROLES/RESPONSIBILITIES**

**1408**

(No. 27 May 2013)

Government Code § [19795 \(a\)](#)

Government Code § [19796](#)

Government Code Section [19795 \(a\)](#) requires all State agencies to establish and administer an effective EEO Program under the direction of an EEO Officer appointed by the Director. The following are the primary roles and responsibilities of Department personnel under EEO laws, rules, and policies:

### Director

The Director is responsible for the overall fulfillment of the EEO Program obligations that result in the successful achievement of EEO Program goals and objectives, including a diverse workforce and non-discriminatory work environment; for allocation of sufficient resources to meet EEO Program responsibilities; to appoint and direct an EEO Officer who is responsible for program implementation.

### EEO Officer

The EEO Officer reports directly to the Director or the Chief Deputy Director, as designated. The EEO Officer is responsible for overall EEO program management; recommends program projects and activities to the Director; and advises the Director on program goals, special projects, problems and resolutions.

The EEO Officer is also responsible for management of the EEO Office; directing the Department-wide recruitment effort, discrimination complaint system, and general EEO activities; providing expertise regarding proposed legislation affecting EEO; providing guidance to committees; and recommending program activities, special projects, and resolution to program issues.

### Deputy Directors/Region Chiefs/Unit Chiefs/Managers/Supervisors

All managers and supervisors are responsible for complying, implementing, and enforcing EEO laws, policies and practices, and for achieving progress towards EEO goals in his or her program or area.

Managers and supervisors ensure the fair and equitable treatment of all employees in accordance with EEO laws, rules, policies, and practices; set the tone for a professional work environment; implement and monitor his or her unit's total personnel practices to ensure compliance with the Department's EEO Program.

The achievement of EEO and employment objectives, including a diverse workforce, is part of the annual performance appraisal process.

### Regional EEO Managers

Each Region has a Regional EEO Manager. They are responsible for coordinating regional EEO activities; recommend and support a work environment that is free from discrimination; interpret EEO laws and regulations to arrive at appropriate resolution of complaints; serve as liaisons with the Sacramento Headquarters' EEO Office; monitor and report on various activities related to the EEO Program; participate in meetings and conferences regarding EEO Program responsibilities and activities; develop and coordinate regional policies, practices and training to more effectively and appropriately implement EEO systems within the region; and maintain information and serve as an advisor to Region and Unit chiefs.

EEO Managers must ensure that employees, supervisors, and managers are made aware of the discrimination complaint process and of the requirement to cooperate during all aspects of the process.

### Chief Legal Counsel

The Chief Legal Counsel, or counsel under his/her direct supervision, provides legal advice to the Department on all aspects of the EEO Program. Counsel represents the Department in cases brought before the State Personnel Board, the Department of Fair Employment and Housing, and the Equal Employment Opportunity Commission. The Attorney General's Office represents the Department in cases before the court system.

### Chief of Labor Relations and Human Resources

The Chief of Labor Relations and Human Resources ensures the Department's EEO nondiscrimination policies, guidelines, and practices are integrated, as appropriate, into all areas of the Department's personnel management activities; and works in concert with the EEO Officer to effect changes in the personnel actions that will facilitate the goals and objectives of the Department's EEO Program.

The Chief works with the support of subordinate supervisory staff to ensure that collective bargaining practices and agreements complement, but do not compete with, or have the effect of negating, EEO goals and objectives; and consults with the EEO Officer on grievances that involve EEO issues.

### EEO Counselors

It is the goal of the EEO Office to have at least one EEO Counselor in each unit. As needed, a recruitment drive is held encouraging interested employees to submit a Statement of Interest to the EEO Office. These are reviewed and the most qualified employees are chosen. Supervisor's approval is required for participation as an EEO Counselor.

An EEO Counselor is trained to know CAL FIRE EEO policy and understand the protected characteristics as recognized by State and federal laws. An EEO Counselor is familiar with the complaint process and can assist employees in completing the Internal Employment Discrimination Form (AA-8) found on the CAL FIRE Intranet.

EEO Counselors act as coordinators for the services provided by the EEO Program staff and are frequently the first point of contact for a person who feels he or she has been treated unfairly by another in the workplace. The EEO Counselor does not make any determinations regarding whether or not discrimination has occurred. EEO Counselors report to and receive direction from EEO Program staff when performing counseling duties.

#### All Employees

All employees are responsible for ensuring they are aware of the Department's EEO policy and for understanding what conduct constitutes discrimination and sexual harassment policy violations. An employee who witnesses an incident of discrimination or harassment toward another employee or a program participant has the responsibility to report the conduct to a supervisor, EEO Program staff or EEO Counselor.

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)